

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of

Inventors: Robert M. Abrams  
Sepehr Fariabi

Serial No.

Filed: Herewith

Continuation of Serial No. 10/291,930  
filed November 11, 2002

For: SUPERELASTIC  
GUIDING MEMBER

Prior Examiner: George P. Wyszomierski

Prior Group Art Unit: 1742

Client Matter No. ACS 65213(0720XCC2CCC)

October 16, 2003

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

**UNDER 37 § 1.97(b) (1)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


Pursuant to the duty of disclosure and 37 C.F.R. § 1.97(b), enclosed is Form PTO/SB/08A listing art which may be material to patentability of the invention.

Copies of references cited were previously submitted or cited in the prior application, Serial No. 10/291,930 filed November 11, 2002.

It is believed that these references will be helpful during examination of the application, and it is believed that no fee is due in connection with this paper. However, should a fee be required, the Commissioner is authorized to charge any fee due in connection with this matter to Deposit Account No. 06-2425. A duplicate copy of this paper is enclosed.

Respectfully submitted,

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Application Number					
Filing Date					
First Named Inventor		Abrams			
Art Unit					
Examiner Name					
Attorney Docket Number		ACS-65213			
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U.S. PATENT DOCUMENTS						
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1	US- 2,738,294		03/13/1956	Spence	
	2	US- 2,768,271		10/23/1956	Meridith	
	3	US- 3,558,369		01/26/1971	Wang et al.	
	4	US- 3,605,725		09/20/1971	Bentov	
	5	US- 3,620,212		11/16/1971	Fannon et al.	
	6	US- 3,890,977		06/24/1975	Wilson	
	7	US- 3,953,253		04/27/1976	Clark	
	8	US- 4,037,324		07/26/1977	Andreason	
	9	US- 4,233,690		11/18/1980	Akins	
	10	US- 4,283,233		08/11/1981	Goldstein et al.	
	11	US- 4,304,613		12/08/1981	Wang et al.	
	12	US- 4,411,655		10/25/1983	Schreck	
	13	US- 4,425,908		01/17/1984	Simon	
	14	US- 4,427,000		01/24/1984	Ueda	
	15	US- 4,503,569		03/12/1985	Dotter	
	16	US- 4,505,767		03/19/1985	Quin	
	17	US- 4,512,338		04/23/1985	Balko et al.	
	18	US- 4,580,568		04/08/1986	Gianturco	
	19	US- 4,665,906		05/19/1987	Jervis	
	20	US- 4,768,507		09/06/1988	Fischell et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
	21	PCT	WO 89/10088		11/02/1989	Target Therapeutics		
	22	PCT	WO 90/13329	A1	11/15/1990	Progressive Angioplasty		
	23	PCT	WO 91/15152	A1	10/17/1991	Boston Scientific		
	24	EP	0 145 166	A2	06/19/1985	Raychem Corp.		
	25	EP	0 199 715	A2	10/29/1986	Austria Draht GMBH		
	26	EP	0 340 304	A1	11/08/1989	Terumo Kabushiki Kaisha		
	27	EP	0 395 098	A1	10/31/1990	Yamauchi c/o Tokin Corp.		
	28	EP	0 480 427	A1	04/15/1992	Matsuda		
	29	EP	0 491 349	A2	06/24/1992	Advanced Cardiovascular		
	30	EP	0 515 078	A2	11/25/1992	Cook Incorporated		

Examiner Signature	Date Considered
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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First Named Inventor		Abrams			
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		Number	Kind Code <sup>2</sup> (if known)			
	31	US- 4,776,844		10/11/1988	Ueda	
	32	US- 4,827,941		05/09/1989	Taylor et al.	
	33	US- 4,846,573		07/11/1989	Taylor et al.	
	34	US- 4,875,489		10/24/1989	Messner et al.	
	35	US- 4,881,981		11/21/1989	Thoma et al.	
	36	US- 4,925,445		05/15/1990	Sakamoto et al.	
	37	US- 4,935,068		06/19/1990	Duerig	
	38	US- 4,984,581		01/15/1991	Stice	
	39	US- 4,991,602		02/12/1991	Amplatz et al.	
	40	US- 5,001,446		03/19/1991	Tsuji et al.	
	41	US- 5,025,799		06/25/1991	Wilson	
	42	US- 5,067,957		11/26/1991	Jervis	
	43	US- 5,069,226		12/03/1991	Yamauchi et al.	
	44	US- 5,120,308		06/09/1992	Hess	
	45	US- 5,143,085		09/01/1992	Wilson	
	46	US- 5,188,621		02/23/1993	Samson	
	47	US- 5,318,527		06/07/1994	Hyde et al.	
	48	US- 5,341,818		08/30/1994	Abrams et al.	
	49	US- 5,441,476		05/02/1995	Abrams et al.	
	50	US- 5,637,089		06/10/1997	Abrams et al.	

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	51	EP	0 550 258	A1	07/07/1993	Cook Incorporated		
	52	EP	0 550 288	A2	07/07/1993	Amdahl Corporation		
	53	EP	0 569 166	A1	11/10/1993	American Telephone and . . .		
	54	JP	5019512		01/29/1993	Mitsubishi Kasei Corp.		
	55	JP	55164304		12/22/1980	Hitachi Ltd.		
	56	JP	6184361		04/28/1986	Tohoku Metals, Ltd.		
	57	JP	62199757		09/03/1987	Nippon Stainless Steel Co.		
	58	JP	62235449		10/15/1987	Furukawa Electric Co. Ltd.		

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First Named Inventor	Abrams
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Attorney Docket Number	ACS-65213

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		<b>Art Unit</b>			
		<b>Examiner Name</b>			
<b>Sheet</b>		4	of	4	<b>Attorney Docket Number</b> ACS-65213

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	61	"Linear and non-linear superelasticity in NiTi", G.R. Zadno and T.W. Duerig, MRS Int'l Mtg. on Adv. Mats. Vol. 9, 1989 Materials Research Society	
	62	"Deformation and transition behavior associated with the r-phase in TiNi alloys", S. Miyazaki and K. Otsuda, Metallurgical Transactions A, Vol. 17A, January 1986, pages 53-63	
	63	Declaration by Sepehr Fariabi, dated September 16, 1993	
	64	William J. Buehler and William B. Cross, "55-Nitinol Unique Wire Alloy with a Memory", pp. 41-49, June 1969	
	65	E. Hornbogen, "Shape Memory: Three Usable Effects in One Material", pp. 67, 70, 71, 73, Design Engineering, May 1990	
	67	A Report by C.M. Jackson, H.J. Wagner and R.J. Wasilewski, "Nitinol - The Alloy with a Memory: Its Physical Metallurgy, Properties, and Applications", prepared under contract for NASA by Battelle Memorial Institute, NASA-SP 5110, Technology Utilization Office National Aeronautics and Space Administration, Washington, D.C., 1972, pp. 1-2 and 19-55	
	68	T. W. Duerig, K.N. Melton, D. Stockel and C.M. Wayman, "Engineering Aspects of Shape Memory Alloys", pp. 368-393, Butterworth-Heinemann Ltd., 1990	

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